

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Paul R. Vanderlinden,

Civ. No. 23-250 (JWB/DLM)

Petitioner,

v.

**ORDER ACCEPTING  
REPORT AND RECOMMENDATION  
OF MAGISTRATE JUDGE**

B. Eishen,  
*Warden, FPC Duluth,*

Respondent.

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Paul R. Vanderlinden, FPC Duluth, PO Box 1000, Duluth, MN 55814, pro se Petitioner.

Ana H. Voss, Esq., and Lucas B. Draisey, Esq., United States Attorney's Office, counsel for Respondent.

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The above matter is before the Court on the Report and Recommendation ("R&R") of United States Magistrate Judge Douglas L. Micko dated June 15, 2023. (Doc. No. 16.) No objections have been filed to that R&R in the time permitted. In the absence of timely objections, the Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R of the Magistrate Judge, and on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Petitioner's Reply Brief was received by the Court on March 20, 2023. (Doc. No. 12.) Therefore, Petitioner's motion for an extension to file his Reply Brief (Doc. No. 10) is **DENIED AS MOOT**;

2. The June 15, 2023 R&R (Doc. No. 16) is **ACCEPTED**; and
3. Plaintiff's Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241 (Doc. No. 1) is **DENIED AS MOOT** and this action is **DISMISSED WITHOUT PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: July 10, 2023

*s/ Jerry W. Blackwell*

JERRY W. BLACKWELL

United States District Judge